

By: Representative Capps

To: Appropriations

HOUSE BILL NO. 1294

1 AN ACT TO AMEND CHAPTER 100, LAWS OF 2002, TO DELETE THE  
2 MAJOR OBJECTS OF EXPENDITURE AND THE PROHIBITIONS ON TRANSFERRING  
3 FUNDS BETWEEN MAJOR OBJECTS OF EXPENDITURE IN THE FISCAL YEAR 2003  
4 APPROPRIATION TO THE BUREAU OF NARCOTICS; AND FOR RELATED  
5 PURPOSES.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

7 **SECTION 1.** Chapter 100, Laws of 2002, is amended as follows:

8 Section 1. The following sum, or so much thereof as may be  
9 necessary, is hereby appropriated out of any money in the State  
10 General Fund not otherwise appropriated, for payment of the  
11 expenses of the Mississippi Bureau of Narcotics of the Mississippi  
12 Department of Public Safety, created by Section 41-29-101 et seq.,  
13 Mississippi Code of 1972, for the fiscal year beginning  
14 July 1, 2002, and ending June 30, 2003..... \$ 9,536,520.00.

15 Section 2. The following sum, or so much thereof as may be  
16 necessary, is hereby authorized for expenditure out of any money  
17 in the special fund in the State Treasury to the credit of the  
18 Mississippi Bureau of Narcotics of the Mississippi Department of  
19 Public Safety which is comprised of special source funds collected  
20 by or otherwise available to the agency, for the support and  
21 maintenance of the agency for the fiscal year beginning  
22 July 1, 2002, and ending June 30, 2003..... \$ 2,682,249.00.

23 Section 3. Of the funds appropriated under the provisions of  
24 Sections 1 and 2, not more than the amounts set forth below shall  
25 be expended as follows:

26 \* \* \*

27 AUTHORIZED POSITIONS:

28 Permanent: Full Time..... 223



29 Part Time..... 2  
 30 Time-Limited: Full Time..... 0  
 31 Part Time..... 0

32 Funds are provided herein to adjust the Variable Compensation  
 33 Plan to ensure that all full-time employees receive a pay increase  
 34 equal to fifty percent (50%) of the realignment component of the  
 35 Variable Compensation Plan or Six Hundred Dollars (\$600.00),  
 36 whichever is greater, beginning on January 1, 2003.

37 \* \* \*

38 Any transfers or escalations shall be made in accordance with  
 39 the terms, conditions and procedures established by law.

40 No general funds authorized to be expended herein shall be  
 41 used to replace federal funds and/or other special funds which are  
 42 being used for salaries authorized under the provisions of this  
 43 act and which are withdrawn and no longer available.

44 Section 4. In compliance with the "Mississippi Performance  
 45 Budget and Strategic Planning Act of 1994," it is the intent of  
 46 the Legislature that the funds provided herein shall be utilized  
 47 in the most efficient and effective manner possible to achieve the  
 48 intended mission of this agency. Based on the funding authorized,  
 49 this agency shall make every effort to attain the targeted  
 50 performance measures provided below:

	FY2003
<u>Performance Measures</u>	<u>Target</u>
53 Drug Enforcement	
54 Arrests Made (Persons)	2,600
55 Number of Prosecutions (Actions)	2,300
56 Organizations Disrupted/Dismantled (Actions)	135

57 A reporting of the degree to which the performance targets  
 58 set above have been or are being achieved shall be provided in the  
 59 agency's budget request submitted to the Joint Legislative Budget  
 60 Committee for Fiscal Year 2004.



61 Section 5. Of the funds appropriated under the provisions of  
62 Section 2, funds are included to defray the costs of clothing for  
63 sworn law enforcement officers in an amount not to exceed One  
64 Thousand Dollars (\$1,000.00) annually per officer.

65 \* \* \*

66 Section 6. It is the intention of the Legislature that Fair  
67 Labor Standards Act (FLSA) non-exempt sworn officers may  
68 accumulate and/or receive monetary compensation for compensatory  
69 time not to exceed 300 Hours in any fiscal year. FLSA exempt  
70 sworn officers may accumulate and/or receive monetary compensation  
71 for compensatory time not to exceed 300 hours in any fiscal year.  
72 Further, an FLSA exempt sworn officer having more than 300 hours  
73 of compensatory time on record as of passage of this bill shall  
74 exhaust through usage the excess compensatory time by December 31,  
75 2002. Any compensatory time in excess of 300 hours of exempt  
76 sworn officers as of January 1, 2003, shall be forfeited and the  
77 balance shall be reduced to 300 hours. However, the Bureau of  
78 Narcotics Director shall have the authority to authorize  
79 compensatory time in excess of 300 hours for exempt and non-exempt  
80 sworn officers to carry out the duties and functions of the  
81 Department of Public Safety during times of extraordinary or  
82 unusual public safety risks, or for federally funded call back  
83 details, or for full or part time assignments to federally funded  
84 task forces. However, at no time will compensation of FLSA  
85 non-exempt or exempt sworn officers exceed in total the  
86 compensation of the agency head pursuant to Section 25-3-39(2),  
87 Mississippi Code of 1972.

88 Section 7. It is the intention of the Legislature that the  
89 Mississippi Bureau of Narcotics transfer a Cessna 206 aircraft to  
90 Delta State University during Fiscal Year 2002.

91 Section 8. Of the funds appropriated under the provisions of  
92 Section 2, One Hundred Thirteen Thousand Four Hundred Twenty-four



93 Dollars (\$113,424.00) shall be derived from the Budget Contingency  
94 Fund created in Section 27-103-301, Mississippi Code of 1972.

95 Section 9. In addition to all other sums heretofore  
96 appropriated, the following sum, or so much thereof as may be  
97 necessary, is hereby authorized to be transferred from Board of  
98 Law Enforcement Minimum Standards Special Fund No. 3742 to  
99 Mississippi Bureau of Narcotics Special Fund No. 3718, for the  
100 fiscal year ending June 30, 2002..... \$ 150,000.00.

101 This additional appropriation is made for the purpose of  
102 providing funds to defray certain expenses of the operating budget  
103 of the Mississippi Bureau of Narcotics.

104 Section 10. The money herein appropriated shall be paid by  
105 the State Treasurer out of any money in the State Treasury to the  
106 credit of the proper fund or funds as set forth in this act, upon  
107 warrants issued by the State Fiscal Officer; and the State Fiscal  
108 Officer shall issue his warrants upon requisitions signed by the  
109 proper person, officer or officers, in the manner provided by law.

110 **SECTION 2.** This act shall take effect and be in force from  
111 and after its passage.

